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SENATE REFORM AND ITS IMPACT ON ALBERTA

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INTRODUCTION

In March of 1985 the 'Alberta Select Special Committee on Upper House Reform' released a report entitled Strengthening Canada: Reform of Canada's Senate. The report was the provincial government's policy statement on Senate reform and it advocated a Senate for Canada which would be directly **elected** by the people, with each province represented by an **equal** number of Senators. The report also recommended that Senators have powers which would allow them to be **effective** in providing a regional voice within the federal structure of Canada.(1)

The purpose of this paper will not be to discuss the specifics of that Committee's report. Rather, this paper will discuss the effect of a Triple E Senate on the power base of the Alberta government . Specifically, this paper will put forward the position that the result of a 'Triple E' Senate will be an undercutting of the power base that the provincial government currently possesses.

This paper will endeavor to discuss this thesis by examining the dynamics of the relationship between provincial and federal governments in Canada. Secondly, it will give a quick overview of past strategies pursued by the provincial government,

(1) Report of the Alberta Select Special Committee on Upper House Reform, p. 1

and finally it will speculate on the effects of a Triple E Senate on the provincial government and specifically the province's Premier.

POWER: THE ESSENCE OF POLITICS

Power is the lifeblood of politics. It is generally accepted that the most successful politician is the one who possesses the greatest amount of power. Any individual or group who aspires to invoke any type of political change has to work from the assumption that the fundamental mandate of every political actor is to pursue power.

The history of federalism in Canada has generally been consistent with that premise. Over the past 123 years the national and provincial governments of Canada have constantly attempted to wade into each others' fields of jurisdiction and usurp political power.

The reason that the two levels of government in Canada have fought so bitterly over jurisdiction is because federalism is a 'zero-sum' game.(2) A 'zero-sum' situation occurs when the sum of power within the federal power structure of the country is shared between Parliament and the provinces exclusively. This

(2) Gibbins, Senate Reform: Towards the Slippery Slope, p. 41

has led to a situation whereby the only method for one level of government to increase its own quotient of political power is to usurp power from the other level of government.

INTERSTATE FEDERALISM

The tension that has historically existed in federal politics has led to a provincial strategy termed interstate federalism. Interstate federalism is a political strategy whereby political influence is exerted by a province on behalf of its constituents in an attempt to ward off federal intrusions into provincial areas of jurisdiction.(3)

While interstate federalism has been used most effectively by Quebec, Alberta has also been a keen advocate of this strategy.(4) This was illustrated in a speech by Peter Lougheed in March 1977 when he stated,

> "Just as Albertans want more control over their destiny - primarily for economic reasons - Quebec, I sense, want also (sic) more control over their destiny, essentially for cultural and linguistic reasons. Hence, just as Albertans want more government decisions made in Edmonton than in Ottawa, I think Quebecers, for different reasons, but somewhat similar motives, want more government decisions made in Quebec City, and fewer in Ottawa."(5)

(3) Gibbins, Sept. 19,1988.
(4) Gibbins, Prairie Politics and Society, p. 186
(5) Calgary Herald, April 12, 1977, p. 7

In fact, Alberta has historically focused so much energy on interstate federalism that Garth Stevenson has written that,

> "Alberta...(has an) obsessive preoccupation with federal-provincial relations."(6)

Stevenson goes on to write that he believes that the provincial Conservatives in Alberta have continually returned with huge electoral majorities because of this federal/provincial 'preoccupation'. For instance; in 1975 the provincial Tories won 69 of 75 seats in the Alberta legislature; in 1979 the Tories won 74 of 79 seats; in 1982 the Tories won 75 of 79 seats; in 1986 the Tories won 61 of 83 seats; and in 1989 the Tories won 59 of 83 seats.(7)

In recent years, however, the tradition of federal/provincial conflict has begun to change. The Mulroney government, elected nationally in 1984, has put forth an agenda which has concentrated on decentralizing many of Canada's institutions. For example, Mr. Mulroney has in the past several years agreed to dismantle the 'National Energy Program' for Alberta, and he also agreed to share the management of Canadian seabeds with Newfoundland.(8)

Mr. Mulroney also put into motion a constitutional proposal, the Meech Lake Accord, which would have enhanced the powers of the

(6) Stevenson, p. 176
(7) The Albertan Teachers' Association, p. 8
(8) Trudeau, p. 13

provinces at the expense of the national government. In the words of Alan Cairns, the Meech Lake Accord would have led to "more provincialized central government institutions" and, "an enhanced provincial government role in an enlarged intergovernmental arena".(9)

It is true that the Meech Lake Accord failed, but it is very likely that Mr. Mulroney's vision of the country will not change and he will continue to decentralize more powers of the national government. For Alberta, this can only mean that over the next several years they can expect an increase in the jurisdictional power that they now possess.

One would believe that the Alberta government, as a power pursuing government, would be content to keep pursuing the interstate policy option, but this is not the case.

INTRASTATE FEDERALISM

The Alberta government with its Senate reform initiative has begun to pursue a strategy of intrastate federalism, whereby political influence is exerted by the constituents of a region within the national institutions of the country.(10)

(9) Cairns, p. 115
(10) Gibbins, Sept. 19, 1988.

The definition of intrastate federalism alone would lead one to question Alberta's strategy of Senate reform. It would call for constituents to directly elect a Senator, without the help of a provincial government. This situation makes one wonder why a power pursuing government would want to invoke a change that would in the end exclude the provincial government from the process.

One could argue that the province would maintain a say in any Senate election because the Meech Lake Accord called for Senators to be appointed by provincial governments. This argument does not suffice because first of all, the Meech Lake Accord is dead; and second of all, it would be politically difficult for a Premier not to nominate the winner of a Senate nomination election.

THE DROP IN STATURE OF THE PREMIER

It would seem that a Triple E Senate could very well erode both the popularity of the provincial government within Alberta and the province's stature within the national political arena.

First of all, a Senator that is elected by the electorate of an entire province would have a very large amount of political legitimacy. It would be very possible for a directly-elected Senator to challenge the Premier's claim to speak for the province. Roger Gibbins clearly articulates this reality in his

book Senate Reform: Moving Towards the Slippery Slope when he writes,

> "There is little doubt that on balance the provincial governments and their leaders will in a very real sense be less important in the wake of Senate reform".(11)

Another potentially embarrassing scenario is the fact that elections are always a risky endeavor.(12) The mood of voters can swing wildly and that can lead to the situation that arose in the Senate nomination election of last fall.

In the autumn election the provincial government tried to showcase Bert Brown, a longtime proponent of Senate reform, as their candidate of choice. Mr. Brown lost the election to Reform party candidate Stan Waters. This turn of events put Mr. Getty into an awkward political situation as he was forced to lobby the Prime Minister to appoint the candidate of another political party.

The possibility of a Senate election can do very little to increase the stature of Premier, and as last autumn's Senate election illustrates, it can actually damage the political credibility of a Premier.

(11) Gibbins, Senate Reform: Towards the Slippery Slope, p. 36
(12) Elton and McCormick, p. 21

THE DROP IN STATURE OF THE F.M.C.

Over the past several decades First Minister's Conferences have led to Premiers becoming national figures. During First Minister's Conferences the Premiers can comment on national policies, publicly challenge any of the other First Ministers, and most importantly, articulate the views of their own province in the national spotlight. This situation gives incumbent Premiers a distinct advantage in their own provincial election campaigns as they are able to exploit the electoral opportunities inherent in federal provincial-conflict.(13)

An indication of the power held by the First Ministers is given by Robert Bothwell,

> "It is difficult to imagine that the federal government could make any serious decision without referring it first to (a) series of federal-provincial committees, and then convening a constitutional conference to give Canada's provincial premiers a chance to sound off...".(14)

In order to understand the power of interstate federalism and the First Minister's Conference one has to look no further than the recent Meech Lake constitutional negotiations. The Meech Lake negotiations dramatically illustrated the degree of influence held by the First Ministers. During those meetings the future

(13) Gibbins, Prairie Politics and Society, p. 182
(14) Bothwell, p 7

political direction of Canada was literally in the hands of eleven men.

An elected Senate would run contrary to the entire process of executive federalism as a Senate retaining its existing constitutional powers would become, in effect, a legitimate regional council which could challenge the collective will of the First Ministers.(15)

THE ZERO-SUM GAME

The final reason that provincial governments would lose power in the event of a Triple E Senate would be because of the very nature of the zero-sum federalism game. Parliament would gain from a Triple E Senate, and in a zero-sum game the provinces would only stand to lose.

Ottawa would gain political power in the zero-sum game because Parliament, with a Triple E Senate, would finally become a truly national government.(16) Parliament has lost much of its power in the past several years due to losses in its political legitimacy and authority. Ottawa is not seen by all Canadians as 'their government'; in fact, national politics have long been viewed in an almost conspiratorial fashion by Albertans. In the

(15) Elton, p. 31
(16) Gibbins, Senate Reform: Towards the Slippery Slope, p. 41

words of A.W. Finifter, the "West consistently gets shortchanged, exploited and ripped-off" by the national government.(17)

Dr. Barry Cooper summed up the west's attitude toward Ottawa in an article in West magazine when he wrote the following,

> "No westerner can forget the awarding of the CF-18 maintenance contract to Montreal, or Via cuts, or federal pull-outs from heavy oil development, or high interest rates, or the the intrusion of the federal Department of the Environment into western plans for economic diversification".(18)

Add to that the legendary 'National Energy Program' which alledgedly sucked $50 billion into the federal government's coffers from Alberta and it is not difficult to understand why Albertans view the national government with suspicion.

Because the federal government is not a truly national government it has difficulty being perceived as a national government. Senate reform, by ingraining regional representatives into Parliament, would enable the federal government to break free from its previous regional constraints.(19) Therefore, Parliament's stature within the federal system would be increased by a Triple E Senate. It then follows that according to the zero-sum game theory the political power of the provinces would decline.

(17) Finifter, page 390
(18) Cooper, page 23
(19) Gibbins, Senate Reform: Towards the Slippery Slope, p 41

CONCLUSION

The strategy of Senate reform that the Alberta government is currently pursuing runs contrary to the theory that the fundamental mandate of every political actor is to pursue power.

Senate reform would put into place a new political entity that could not be controlled by the province. This entity would diminish the stature of the Premier within the federal political framework, and it would erode the power base that the Premier currently possesses. This entity would also usurp power from the provincial level of government and increase the political power of Parliament.

The end result of a truly Triple E Senate would be a politically less effective provincial government and a stronger national government.

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